

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LUIS SANCHEZ-ALFONSO,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General of the
United States, et al.,

Respondent.

CASE NO. C12-1923RSM

ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING ACTION

This matter is before the Court for consideration of a Report and Recommendation filed by the Honorable Mary Alice Theiler, United States Magistrate Judge. Dkt. # 25. Judge Theiler recommends denial of the petition because petitioner's detention has not extended beyond the mandatory ninety-day removal period. *Id.* Subsequent to the filing of the Report and Recommendation, respondent has notified the Court that petitioner has been released from detention, and asks that the petition be dismissed for lack of subject matter jurisdiction. Dkt. # 28.

Having considered the Report and Recommendation, plaintiff's Objections, and respondent's notice of release, and the balance of the record, the Court does hereby find and ORDER:

(1) The Report and Recommendation is APPROVED and ADOPTED;

(2) The Petition for Writ of Habeas Corpus (Dkt. # 7) is DENIED;

(3) Respondents' motion to dismiss is GRANTED and the action is DISMISSED with prejudice.
All other pending motions are STRICKEN as moot.

(4) The Clerk is directed to copies of this Order to petitioner and to the Honorable Mary Alice Theiler.

Dated this 2nd day May 2013.

A handwritten signature in black ink, appearing to read 'R. Martinez', is written over a horizontal line.

RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE